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Pat. Docket No.: 17633/1120

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Denise Faustman
Serial No.: 09/258,682
Filed: February 26, 1999
Entitled: "Methods for Diagnosing and Treating Autoimmune Disease"

Examiner: Nolan

Group Art Unit: 1644

Conf. No.: 4225

Commissioner for Patents
Washington, D.C. 20231

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RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. §1.111

Sir:

This paper is responsive to the Office Action mailed January 2, 2002. Attached is a Petition for Extension of Time under 37 C.F.R. § 1.136(a) to extend the period for response from April 2, 2002 up to and including July 2, 2002, along with the necessary fee. Please charge any additional fees required in connection with the papers transmitted herewith to Deposit Account No. 16-0085; Reference No. 17633/1120.

Formal Matters

Non-elected invention

Claims 41-43 and 46-48 were previously elected for prosecution on the merits. The Examiner states that claims 1-40, 49-65 have been withdrawn from consideration. Applicants therefore request cancellation of claims 1-40, 49-65, which are drawn to a non-elected invention, without prejudice to pursuing these or related claims in one or more continuing applications.

Remarks

Rejection of Claims 41-43 and 46-48 Under 35 U.S.C. § 112 First Paragraph

Claims 41-43 and 46-48 were rejected under 35 U.S.C. § 112 First Paragraph as containing subject matter which was not described in the specification in such a way as to enable